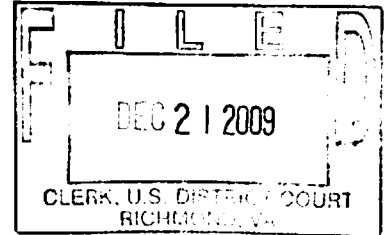


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



ROBERT V. GADSON,

Plaintiff,

v.

Civil Action No. 3:09CV631

C.E.O. IRAN OIL, et al.,

Defendants.

MEMORANDUM OPINION

Robert Gadson, a federal inmate proceeding pro se, submitted this action and has requested leave to proceed in forma pauperis. The pertinent statute provides:

In no event shall a prisoner bring a civil action [in forma pauperis] if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

28 U.S.C. § 1915(g). Gadson has at least three other actions that have been dismissed as frivolous or for failure to state a claim. See e.g., Gadson v. Chater, No. 94-2306, 1995 WL 386652, at *1 (4th Cir. June 30, 1995); Gadson v. United States, No. 92-6834, 1993 WL 211560, at *1 (4th Cir. June 17, 1993); Gadson v. STEPA Pers. Dir., CIV. A. No. 89-152, 1989 WL 3485, at *2 (E.D. Pa. Jan. 12, 1989). The largely incoherent allegations in Gadson's submissions do not suggest that Gadson is in imminent danger of serious physical harm. Accordingly, by Memorandum Order entered on October 26, 2009, the

Court denied Gadson's request to proceed in forma pauperis and directed Gadson to pay the full \$350.00 filing fee within eleven (11) days of the date of entry thereof.

More than eleven (11) days have elapsed since the entry of the October 26, 2009 Memorandum Order and Gadson has not paid the full filing fee. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

The Clerk of the Court is DIRECTED to send a copy of the Memorandum Opinion to Gadson.

An appropriate Order shall accompany this Memorandum Opinion.

_____/s/ REP
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: November 17, 2009